

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

OCT 28 2005

First Named
Inventor : John Timothy Otto et al.

Group Art Unit: 3644

Appln. No. : 10/814,384

Examiner: T. Dinh

Filed : March 31, 2004

For : ICE DETECTOR FOR IMPROVED ICE
DETECTION AT NEAR FREEZING
CONDITION

Docket No. : B04.12-0075

CERTIFICATION OF TELEFACSIMILE TRANSMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

(571) 273-8300

Sir:

I certify that the following papers are being telefacsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

1. Response After Final.

WESTMAN, CHAMPLIN & KELLY, P.A.

Date: 10/28/05By: John D. Veldhuis

John D. Veldhuis-Kroeze, Reg. No. 38,354
Suite 1400 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612)334-3222 Fax: (612)334-3312

JVK/jme

5 PAGES - INCLUDING COVER PAGE

OCT 28 2005

RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : John Timothy Otto et al.

Group Art Unit: 3644

Appln. No. : 10/814,384

Examiner: T. W. Dinh

Filed : March 31, 2005

For : ICE DETECTOR FOR IMPROVED ICE
DETECTION AT NEAR FREEZING
CONDITION

Docket No. : B04.12-0075

AMENDMENT AFTER FINALMail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

(571) 273-8300

This is in response to the Final Office Action mailed on August 24, 2005 in which claims 1-4 were rejected. With this response, claims 1-4 are again presented for reconsideration and allowance in view of the following remarks.

CLAIM REJECTIONS - 35 U.S.C. §112

In the Final Office Action, claims 1-4 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Office Action asserted that the claims fail to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. More specifically, the Office Action stated that the phrase "vibrating type" is vague and indefinite. The rejection of claims 1-4 under 35 U.S.C. §112, second paragraph, is respectfully traversed.

The phrase "vibrating type", used to describe the ice detectors of the present invention, is neither vague nor indefinite. To the contrary, the phrase "vibrating type" is well defined in the present application. For example, on page 1, the present application states that "[a] frequently used type of ice detector is a vibrating ice detector. Vibrating type ice detectors use a vibrating probe